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**FACSIMILE**

**Date:** September 22, 2009

**Time Sent:**

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<b>Client/Matter/Tkpr:</b>	071971-0730	<b>Original to Follow by Mail:</b>	No
		<b>Number of Pages, Including Cover:</b>	6
<b>Re:</b>	Application No. 10/591,456		

**Message:**

Dear Examiner Elbin,

Thank you for scheduling an interview for September 23, 2009, 2:00 p.m.

Attached please find our proposed claim amendment to the above identified application.

We would like to discuss:

- (1) Regarding 102 rejection, amendments to claims 1 and 17 will overcome this rejection.
- (2) Regarding 103 rejection, amended claims 1 and 6 will be patentable over Loeppert and Johannsen.
- (3) Regarding claim 17 (original claim 21), please explain how the Examiner construes Takeuchi. We note that in Takeuchi, the electret film EL is exposed, not covered by any films.

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(4) Regarding claims 3 and 8, Johanssen discloses SixNy as a **hydrophilic** material, while the Examiner asserts that the **hydrophobic** film of FIG. 3 of Johanssen corresponds to the claimed second insulating film. Similarly, regarding claims 23 and 24, silicon dioxide itself is not a hydrophobic layer. Para. [0025] merely discloses a hydrophobic layer is formed on the silicon dioxide.

Sincerely,

Takashi Saito (Limited Recognition No. L0123)

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### Proposed Claim Amendments

1. (Currently Amended) An electret condenser, comprising:  
a first electrode which is a fixed electrode;  
a second electrode;  
a lower insulating film formed on the second electrode;  
a first insulating film which is formed on the lower insulating film, disposed between the first electrode and the second electrode, and separated from the first electrode via an air gap and is electretized; ~~[[and]]~~  
a second insulating film formed so as to cover upper, ~~lower~~ and side surfaces of the first insulating film, wherein ~~the first insulating film covered with the second insulating film is formed on the second electrode~~;  
the second electrode, the lower insulating film, the first insulating film, and the second insulating film compose a vibrating film, and  
the second insulating film ~~is formed to be in contact with~~ touches at least one of the upper ~~[[,]]~~ and side ~~and lower~~ surfaces of the first insulating film.
2. (Previously Presented)
3. (Currently Amended) A method for manufacturing the electret condenser of Claim 1,  
wherein the lower insulating film and the second insulating film ~~[[is]]~~ are a silicon nitride film grown in an atmosphere at a temperature in the range between 600 °C and 800 °C, both inclusive
4. (Cancelled)

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5. (Previously Presented)

6. (Currently Amended) An electret condenser, comprising:

a first electrode which is a fixed electrode;

a second electrode; [[and]]

a first insulating film which is formed on the second electrode, disposed between the first electrode and the second electrode, and separated from the first electrode via an air gap and is electretized; and  
a second insulating film formed on the first insulating film so as to cover upper and side surfaces of the first insulating film,

~~wherein a lower surface of the first insulating film is covered with the second electrode and upper and side surfaces of the first insulating film are covered with a second insulating film,~~

the second electrode, the first insulating film, and the second insulating film compose a vibrating film,  
and

the second insulating film ~~is formed to be in contact with~~ touches at least one of the upper and side surfaces of the first insulating film.

7. (Previously Presented)

8. (Previously Presented)

9. (Cancelled)

10. (Previously Presented)

11. (Currently Amended) The electret condenser of claim 1,

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wherein the second insulating film ~~is formed to be in contact with~~ touches the upper and side surfaces of the first insulating film.

12. (Cancelled)

13. (Previously Presented)

14. (Currently Amended) The electret condenser of claim 6,  
wherein the second insulating film ~~is formed to be in contact with~~ touches the upper and side surfaces of the first insulating film.

15. (Currently Amended) The electret condenser of claim 6,  
wherein the second insulating film ~~is formed to be in contact with~~ touches the upper and side surfaces of the first insulating film, and  
the second electrode ~~is formed to be in contact with~~ touches the lower surface of the first insulating film.

16. (Previously Presented)

17. (Currently Amended) An electret condenser, comprising:  
a first electrode;  
a second electrode;  
a first insulating film which is formed between the first electrode and the second electrode and is electrified; and  
a second insulating film formed so as to ~~be in contact with at least one of~~ touch all of upper, lower and side surfaces of the first insulating film.

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18. (Previously Presented)
19. (Previously Presented)
- 20-22. (Cancelled)
23. (Previously Presented) The electret condenser of claim 17,  
wherein the first insulating film is made of [[a]] silicon dioxide [[film]].
24. (Previously Presented) The electret condenser of claim 17,  
wherein the second insulating film is made of [[a]] silicon nitride [[film]].

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